

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
(Includes Reference to PCT International Applications)

Attorney Docket No.:  
**59150-8033**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

**10/519971**

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**AGARICUS EXTRACT FOR PREVENTING THE INDUCTION OR METASTASIS OF CANCER**

the specification of which was filed as United States application Serial No. 10/519,971 on December 30, 2004.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1 56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate, or of any PCT international application(s) having a filing date before that of the application(s) on which priority is claimed

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. §119:**

COUNTRY (if PCT, Indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC §119	
JP	2002-321864	05 November 2002	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
JP	2002-193943	02 July 2002	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT application(s) in the manner provided by the first paragraph of 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1 56(a) which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. §120:**

U.S. APPLICATIONS			STATUS (Check one)		
U.S. APPLICATION NUMBER	U.S. FILING DATE		PATENTED	PENDING	ABANDONED
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.	PCT FILING DATE	U.S. Serial Nos. Assigned (if any)			
PCT/JP03/008157	26 June 2003			X	

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

All attorneys associated with Customer No. 22918, affiliated with Perkins Coie LLP.

10/51997 Rec'd PCT/PTO

21 SEP 2005

COMBINED DECLARATION AND POWER OF ATTORNEY (CONTINUED) (Includes Reference to PCT International Applications)				Attorney Docket No : <b>59150-8033</b>	
Send Correspondence to: Perkins Coie LLP P.O. Box 2168 Menlo Park, CA-94026  <b>Customer No. 22918</b>				Direct Telephone Calls to: Jacqueline F Mahoney (650) 838-4410	
1-01	FULL NAME OF INVENTOR	FAMILY NAME <b>LEE</b>	FIRST GIVEN NAME <b>Insu</b>	SECOND GIVEN NAME <b>Peter</b>	
	RESIDENCE & CITIZENSHIP	CITY <b>Bethesda</b> <i>md</i>	STATE OR FOREIGN COUNTRY <b>Maryland</b>	COUNTRY OF CITIZENSHIP <b>US</b>	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>5905 Wilson Lane</b>	CITY <b>Bethesda</b>	STATE & ZIP CODE/COUNTRY <b>MD 20817 US</b>	
2-02	FULL NAME OF INVENTOR	FAMILY NAME <b>OTA</b>	FIRST GIVEN NAME <b>Tomihisa</b>	SECOND GIVEN NAME	
	RESIDENCE & CITIZENSHIP	CITY <b>Ishikawa</b> <i>Jpx</i>	STATE OR FOREIGN COUNTRY <b>Japan</b>	COUNTRY OF CITIZENSHIP <b>JP</b>	
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>1-310, Goshomachi, Kanazawa-shi</b>	CITY <b>Ishikawa 920-0813</b>	STATE & ZIP CODE/COUNTRY <b>Japan</b>	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.					
SIGNATURE OF INVENTOR 201					
Date <u>Aug. 9 2005</u> Signature <u><i>[Signature]</i></u>					
SIGNATURE OF INVENTOR 202					
Date _____ Signature _____					

Best Available Copy

<b>COMBINED DECLARATION AND POWER OF ATTORNEY (CONTINUED)</b> (Includes Reference to PCT International Applications)				Attorney Docket No.: <b>59150-8033</b>	
<b>Send Correspondence to:</b> Perkins Coie LLP P.O. Box 2168 Menlo Park, CA 94026  <b>Customer No. 22918</b>				<b>Direct Telephone Calls to:</b> Jacqueline F. Mahoney (650) 838-4410	

2 0 1	FULL NAME OF INVENTOR	FAMILY NAME <b>LEE</b>	FIRST GIVEN NAME <b>Insu</b>	SECOND GIVEN NAME <b>Peter</b>
	RESIDENCE & CITIZENSHIP	CITY <b>Bethesda</b>	STATE OR FOREIGN COUNTRY <b>Maryland</b>	COUNTRY OF CITIZENSHIP <b>US</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>5905 Wilson Lane</b>	CITY <b>Bethesda</b>	STATE & ZIP CODE/COUNTRY <b>MD 20817 US</b>
2 0 2	FULL NAME OF INVENTOR	FAMILY NAME <b>OTA</b>	FIRST GIVEN NAME <b>Tomihisa</b>	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY <b>Ishikawa</b>	STATE OR FOREIGN COUNTRY <b>Japan</b>	COUNTRY OF CITIZENSHIP <b>JP</b>
	POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>1-310, Goshomachi, Kanazawa-shi</b>	CITY <b>Ishikawa 920-0813</b>	STATE & ZIP CODE/COUNTRY <b>Japan</b>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


SIGNATURE OF INVENTOR 201

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Date \_\_\_\_\_ Signature \_\_\_\_\_

SIGNATURE OF INVENTOR 202

Date Aug. 9, 2005

Signature 

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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: LEE and OTA

APPLICATION No.: 10/519,971

FILED: December 30, 2004

FOR: AGARICUS EXTRACT FOR PREVENTING THE INDUCTION OR  
METASTASIS OF CANCER

EXAMINER: UNKNOWN

ART UNIT: UNKNOWN

CONF. NO: UNKNOWN

Power of Attorney by Assignee and Certification Under 37 CFR § 3.73(b)

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, the undersigned, acting on behalf of the Assignee of fifty percent (50%) of the entire right, title and interest in the above-identified patent application, by virtue of an Assignment filed concurrently herewith, appoint the attorneys and agents listed below to prosecute this application and transact all business with the U.S. Patent and Trademark Office in connection therewith. This appointment is to the exclusion of the inventor(s) and their attorney(s) and agent(s) in accordance with the provisions of 37 C.F.R. § 3.71.

All prior powers of attorney for this application are hereby revoked. The Assignee hereby appoints all attorneys and agents associated with Customer No 22918.

Direct all telephone calls to Jacqueline F. Mahoney at (650) 838-4410. Address all correspondence to:

Customer No. 22918

Perkins Coie LLP  
P.O. Box 2168  
Menlo Park, California 94026

18/519971

Attorney Docket No 59150-8033

In accordance with 37 C.F.R. § 3.73(b), I hereby certify that I am empowered to act on behalf of the Assignee. To the best of my knowledge and belief, title is in the Assignee, as evidenced by the Assignment noted above

I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, USC § 1001 and that such willful false statements may jeopardize the validity of this application or any patent resulting therefrom.

ASSIGNEE: KYOWA ENGINEERING CO., LTD.  
 Signature: Shin Kawahara  
 Typed Name: Shin Kawahara  
 Title: President  
 Date: August 9, 2005  
 Address: 1-6-17, Kudanminami, Chiyoda-ku, Tokyo 102-0074, JP